

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED
08 JAN -8 PM 4:01
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

0012

UNITED STATES OF AMERICA,

V.

JAVIER BAILON-HERNANDEZ
a/k/a Javier Santos,
a/k/a Gabino Madero-Flores

PJH

DEFENDANT.

INDICTMENT

Title 8, United States Code, Section 1326 - Alien Found
in the United States After Deportation

A true bill.

Thomas Y. Bell Foreman

Filed in open court this 07th day of

January 2008
John J. Gault Clerk

Bail, \$

no bail amount wanted
Eduardo Lopez

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**8 U.S.C. § 1326 - Illegal Reentry
After Deportation (One Count)☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:**

20 years imprisonment; \$250,000 fine; 3 years supervised release; \$100 special assessment.

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW
DOCKET NO.MAGISTRATE
CASE NO.Name and Office of Person
Furnishing Information on
THIS FORM

Joseph P. Russoniello

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned)

Erika R. Frick

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

JAVIER BAILON-HERNANDEZ, a/k/a Javier Santos

DISTRICT COURT NUMBER

PJH

CR 08

0012

DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes ☐ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

**DATE TRANSFERRED
TO U.S. CUSTODY**☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS*☒ WARRANT Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☒ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: January 9, 2008 at 9:30 am

Before Judge: Hon. Elizabeth D. Laporte

Comments:

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
08 JAN -8 PM 4:01
RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PJH

CR 08

0012

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER BAILON-HERNANDEZ,
a/k/a Javier Santos,
a/k/a Gabino Madero-Flores,

Defendant.

No.

VIOLATION: Title 8, United States Code,
Section 1326 – Alien Found in the United
States After Deportation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

On or about December 23, 2003 and October 21, 2005, the defendant,

JAVIER BAILON-HERNANDEZ,
a/k/a Javier Santos,
a/k/a Gabino Madero-Flores,

an alien, was excluded, deported and removed from the United States, and thereafter, on or about
January 2, 2008, was found in the Northern District of California, the Attorney General of the
United States and the Secretary for Homeland Security not having expressly consented to a re-

INDICTMENT

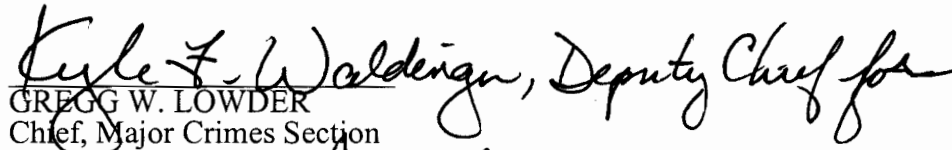
1 application by the defendant for admission into the United States, in violation of Title 8, United
2 States Code, Section 1326.

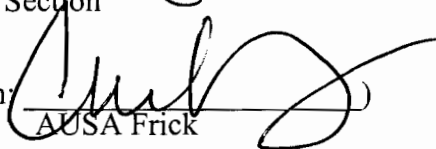
3
4 DATED: *January 8, 2008*

A TRUE BILL.

5
6 
7 FOREPERSON

8 JOSEPH P. RUSSONIELLO
9 United States Attorney

10 
11 GREGG W. LOWDER
12 Chief, Major Crimes Section

13 (Approved as to form: )

AUSA Frick

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

INDICTMENT